

# **EXHIBIT B**

**IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA**

STEWART ABRAMSON and JAMES  
EVERETT SHELTON, individually and on  
behalf of a class of all persons and entities  
similarly situated,

*Plaintiffs,*

MONICA ABBODD, individually and on  
behalf of all others similarly situated,

*Plaintiff-Intervenor,*

v.

AGENTRA, LLC, ANGELIC  
MARKETING GROUP L.L.C., and  
MATTHEW JONES,

*Defendants.*

Case No. 2:18-cv-00615-PLD

**CLASS ACTION**

**DECLARATION OF PATRICK H. PELUSO**

I, Patrick H. Peluso, declare as follows:

1. I am over the age of eighteen (18) and am one of the attorneys for the plaintiff in this matter. I make this declaration in support of Plaintiff's Response in Opposition to Defendant's Motion to Partially Stay Proceedings.

2. I make the following statements based upon my own personal knowledge and based on facts learned during the litigation of this case, and I am able to testify to the matters set forth herein if called upon to do so.

3. On or around January 15, 2020, counsel for Agentra notified Abboud and her counsel of this TCPA action pending the Western District of Pennsylvania, which was the first that we became aware of the Abramson lawsuit.

4. Shortly thereafter, I and other lawyers at my firm made multiple attempts to reach Plaintiffs' counsel, both by email and telephone, to discuss any potential overlap between Abboud's case and the Abramson case. However, all efforts to communicate with Plaintiffs' counsel were unsuccessful.

5. On January 24, 2020, Abboud and Agentra participated in a mediation in Dallas, Texas, in an attempt to resolve Abboud's claims. Mr. Bruce Friedman served as the mediator.

6. Abboud and her counsel were informed that Mr. Friedman had previously mediated the matter between Plaintiffs and Agentra, and she was informed that no settlement had been reached as a result of said mediation.

7. Prior to the mediation, counsel for Abboud communicated with Mr. Friedman and expressed our concern that, due to Agentra's late disclosure of the Abramson case and its attempts to negotiate with Plaintiffs' counsel, Agentra may have been attempting an impermissible reverse auction between the two cases.

8. During the mediation with Abboud, Agentra produced certain financial documents that provided insufficient information for Abboud and her counsel to fairly evaluate Agentra's financial position and to determine a fair settlement amount.

9. The mediation between Abboud and Agentra was ultimately unsuccessful, and no settlement was reached.

Further affiant sayeth not.

Signed under penalty of perjury in Denver, Colorado.

Dated: October 28, 2020

By: /s/ Patrick H. Peluso  
Patrick H. Peluso